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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/542,980

**Applicant(s)**

VARE ET AL.

**Examiner**

SAYED T. ZEVARI

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7/09/2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-30, 32-56 and 58-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-30, 32-56 and 58-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's arguments filed on 7/9/2010 have been fully considered but they are not persuasive.

2. Applicant argues that the applied reference of Fischer is directed to frame-based technology while the applicant's invention is based on burst-based technology.

This argument is not persuasive for the following reasons. Firstly, claim 1 is written to claim a method of receiving and not a transmitting. Applicant claims a method of "receiving" and then claims a limitation of a transmitter being configured to send information in bursts without claiming a step of "transmitting". Therefore 'configuring' the configuration of a transmitter that is does not carry patentable weight.

Secondly, that 'bursts' generally deal with the frequency of transmission not necessarily the type. For example, a burst of data is normally sent all at once and then not at all for an unknown period of time. Therefore it is not immediately seen how a particular transmission could be configured to send information in bursts, as claimed.

3. Applicant has not provided a clear definition of what they consider frame-based technology and burst-based technology and how do they differ from each other. As is known in the art digital communications are based on packets and/or frames. These frames and/or packets can be, transmitted irregularly in bursts or regularly in TDMA type frames. See col.3 lines 37-56 of Fischer for an explanation of how Fischer can be seen to provide for transmission bursts, even in a TDMA environment. Therefore the applied reference read on this limitation.

4. Applicant's argument with regard to unidirectional broadcasting and use of descriptor has been considered but they are not persuasive. As applicant admitted, use of descriptor is a part of a broadcasting standard. Further to expedite the persecution of the application, a new reference is cited that discloses specifically the limitation of unidirectional broadband broadcast transmission.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1, 6, 30, 42, 48, and 56 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. For example, claim 1, 6, 30, 42, 48, and 56 claim that a "...*transmission is configured*". A transmission can be configured to carry information in bursts but how can a transmission be configured to 'send' information?

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-8, 10-12, 17-18, 28, 30, 32, 35-37, 42-51, and 54-56, 58-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer (US 5,371,734) in view of Huckin (US 2004/0120279) and further in view of Linander (US 7110419).

With respect to claim 1, Fischer discloses a method comprising:  
receiving a digital broadcast transmission (**See Fischer's col.9 lines 64-69, col.10 lines 1-7, col.11 lines 16-20, lines 62-66 figure 3**), wherein said transmission is configured to send information in bursts utilizing at least a part of channel bandwidth (**See Fischer's col.5 lines 9-25**),  
providing a descriptor configured to identify at least one of said bursts and further arranged to identify additional information inherently stored in at least one of a network information table, program map table (**See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22 wherein the descriptor reads on a command sent from the network**),  
receiving said descriptor within the digital broadcast transmission (**See Fischer's col.5 lines 47-66**);  
detecting said at least one burst based on said descriptor (**See Fischer's col.5 lines 47-66**), and  
switching at least part of a receiver on/off in accordance with said at least one burst for saving power based on said descriptor (**See Fischer's col.5 lines 47-66, 25-33, col.1 lines 22-28**).

Fischer discloses everything claimed as applied above to claim 1, except for explicitly reciting storing information in IP/MAC notification table. In analogous art, Huckins

discloses an apparatus for reducing power consumption in a wireless network station wherein information is stored in IP/MAC table **(See Huckin's section [0025])**. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Fischer by specifically storing information in an IP/MAC notification table for the purpose of saving energy as disclosed by Huckin.

Fischer and Huckin disclose everything claimed as applied above to claim 1, except for explicitly claiming a unidirectional broadband broadcast transmission system. In analogous art, Linander discloses a unidirectional broadband broadcast system **(See Linander's figure 1, col.2 lines 28-32)**. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Linander into the teachings of Fischer and Huckin to include the above limitations. The modification would be obvious to one of ordinary skill in the art that would improve network resources utilization minimizing disruptions and delays, as suggested by Linander **(See Linander's col.3 lines 44-47)**.

With respect to claim 30, Fischer discloses a method comprising:  
transmitting a digital broadcast transmission **(See Fischer's col.9 lines 64-69, col.10 lines 1-7, col.11 lines 16-20, lines 62-66 figure 3)**, wherein said transmission is configured to send information in bursts utilizing at least a part of channel bandwidth **(See Fischer's col.5 lines 9-25)**,  
providing a descriptor configured to identify at least one of said bursts and further configured to identify additional information-inherently stored in at least one of a network information table, program map table wherein the descriptor is configured to categorize

at least one of said bursts for an identification in a receiver (**See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22**), and transmitting said descriptor as part of the digital broadcast transmission (**See Fischer's col.5 lines 47-66**);, and categorizing said at least one burst based on said descriptor for switching at least part of the receiver on/off in accordance with said descriptor (**See Fischer's col.5 lines 47-66, 25-33, col.1 lines 22-28**).

Fischer discloses everything claimed as applied above to claim 30, except for explicitly reciting storing information in IP/MAC notification table. In analogous art, Huckins discloses an apparatus for reducing power consumption in a wireless network station wherein information is stored in IP/MAC table (**See Huckin's section [0025]**). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Fischer by specifically storing information in an IP/MAC notification table for the purpose of saving energy as disclosed by Huckin. Fischer and Huckin disclose everything claimed as applied above to claim 30, except for explicitly claiming a unidirectional broadband broadcast transmission system. In analogous art, Linander discloses a unidirectional broadband broadcast system (**See Linander's figure 1, col.2 lines 28-32**). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Linander into the teachings of Fischer and Huckin to include the above limitations. The modification would be obvious to one of ordinary skill in the art that would improve network resources utilization minimizing disruptions and delays, as suggested by Linander (**See Linander's col.3 lines 44-47**).

With respect to claim 42, Fischer discloses a system comprising:

a circuitry configured to provide a digital broadcast transmission (**See Fischer's col.9 lines 64-69, col.10 lines 1-7, col.11 lines 16-20, lines 62-66 figure 3**), wherein said transmission is configured to send information in bursts utilizing at least a part of channel bandwidth (**See Fischer's col.5 lines 9-25**),

a circuitry configured to provide a descriptor configured to identify at least one of said burst and further configured to identify additional information inherently stored in at least one of a network information table, program map table (**See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22**),

a circuitry configured to receive said descriptor within the digital broadcast transmission (**See Fischer's col.5 lines 47-66**),

a circuitry configured to detect said at least one burst based on said descriptor (**See Fischer's col.5 lines 47-66**),

a circuitry configured to switch at least part of a receiver on/off in accordance with said at least one burst for saving power based on said descriptor (**See Fischer's col.5 lines 47-66, 25-33, col.1 lines 22-28**). Fischer discloses everything claimed as applied above to claim 42, except for explicitly reciting storing information in IP/MAC notification table. In analogous art, Huckins discloses an apparatus for reducing power consumption in a wireless network station wherein information is stored in IP/MAC table (**See Huckin's section [0025]**). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Fischer by specifically storing information in an IP/MAC notification table for the purpose of saving energy as



disclosed by Huckin. Fischer and Huckin disclose everything claimed as applied above to claim 42, except for explicitly claiming a unidirectional broadband broadcast transmission system. In analogous art, Linander discloses a unidirectional broadband broadcast system (**See Linander's figure 1, col.2 lines 28-32**). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Linander into the teachings of Fischer and Huckin to include the above limitations. The modification would be obvious to one of ordinary skill in the art that would improve network resources utilization minimizing disruptions and delays, as suggested by Linander (**See Linander's col.3 lines 44-47**).

With respect to claim 48, Fischer discloses a receiver comprising:  
a circuitry configured to receive a digital broadcast transmission (**See Fischer's col.9 lines 64-69, col.10 lines 1-7, col.11 lines 16-20, lines 62-66 figure 3**), wherein said transmission is configured to send information in bursts utilizing at least a part of channel bandwidth (**See Fischer's col.5 lines 9-25, 34-39**)  
a circuitry configured to provide a descriptor configured to identify at least one of said bursts and further configured to identify additional information inherently stored in at least one of a network information table, program map table, wherein said descriptor is received within the digital broadcast transmission (**See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22**),  
a circuitry configured to detect said parts at least one burst based on said descriptor (**See Fischer's col.5 lines 47-66**), a circuitry configured to switch at least part of a

receiver on/off in accordance with said at least one burst for saving power based on said descriptor **(See Fischer's col.5 lines 47-66, 25-33, col.1 lines 22-28)**.

Fischer discloses everything claimed as applied above to claim 48, except for explicitly reciting storing information in IP/MAC notification table. In analogous art, Huckins discloses an apparatus for reducing power consumption in a wireless network station wherein information is stored in IP/MAC table **(See Huckin's section [0025])**. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Fischer by specifically storing information in an IP/MAC notification table for the purpose of saving energy as disclosed by Huckin.

Fischer and Huckin disclose everything claimed as applied above to claim 48, except for explicitly claiming a unidirectional broadband broadcast transmission system. In analogous art, Linander discloses a unidirectional broadband broadcast system **(See Linander's figure 1, col.2 lines 28-32)**. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Linander into the teachings of Fischer and Huckin to include the above limitations. The modification would be obvious to one of ordinary skill in the art that would improve network resources utilization minimizing disruptions and delays, as suggested by Linander **(See Linander's col.3 lines 44-47)**.

With respect to claim 56, Fischer discloses a transmitter comprising:  
a circuitry configured to transmit a digital broadcast transmission **(See Fischer's col.9 lines 64-69, col.10 lines 1-7, col.11 lines 16-20, lines 62-66 figure 3)**, wherein said

transmission is configured to send information in bursts utilizing at least a part of channel bandwidth (**See Fischer's col.5 lines 9-25, 34-39**), comprising:

a circuitry configured to provide a descriptor configured to identify at least one of said bursts and further arranged to identify additional information inherently stored in at least one of a network information table, program map table, wherein said descriptor is transmitted within the digital broadcast transmission (**See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22**), and

a circuitry configured to categorize at least one of said bursts based on said descriptor for switching at least part of a receiver on/off in accordance with said at least one burst for saving power in the receiver (**See Fischer's col.5 lines 47-66, 25-33, col.1 lines 22-28**). Fischer discloses everything claimed as applied above to claim 56, except for explicitly reciting storing information in IP/MAC notification table. In analogous art, Huckins discloses an apparatus for reducing power consumption in a wireless network station wherein information is stored in IP/MAC table (**See Huckin's section [0025]**). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Fischer by specifically storing information in an IP/MAC notification table for the purpose of saving energy as disclosed by Huckin. Fischer and Huckin disclose everything claimed as applied above to claim 56, except for explicitly claiming a unidirectional broadband broadcast transmission system. In analogous art, Linander discloses a unidirectional broadband broadcast system (**See Linander's figure 1, col.2 lines 28-32**). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of

Linander into the teachings of Fischer and Huckin to include the above limitations. The modification would be obvious to one of ordinary skill in the art that would improve network resources utilization minimizing disruptions and delays, as suggested by Linander **(See Linander's col.3 lines 44-47)**.

With respect to claim 2, Fischer discloses a method wherein the detecting further comprises separating the digital transmission based on said provided information to said parts fitting for saving the power in the receiver and parts not fitting for saving the power in the receiver **(See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22)**.

With respect to claim 3, Fischer discloses a method wherein at least one of said bursts comprises a time sliced elementary stream, and said method further comprises identifying at least one time sliced elementary stream carried over a broadband network **(See Fischer's col.5 lines 9-25, 47-66)**.

With respect to claim 4, Fischer discloses a method wherein said descriptor includes information on a size of a service session contained in said at least one burst of the digital broadband transmission, and said method further comprises step of: comparing available memory in the receiver to said size, and switching at least part of the receiver on/off based on a result obtained in said comparison **(See Fischer's col.5 lines 47-66, 25-33, col.1 lines 22-28)**.

With respect to claim 5, Fischer discloses a method wherein the switching comprises switching the receiver functionally on during relevant bursts of the digital broadband broadcast transmission relating to a uniform data concept, and switching the

receiver at least partly off otherwise (**See Fischer's col.5 lines 47-66, 25-33, col.1 lines 22-28**).

With respect to claim 6, Fischer discloses a method wherein the digital broadband broadcast transmission is at least partly configured to fit a principle wherein the receiver is functionally on during cyclical relevant bursts of the digital broadband broadcast transmission relating to a same service and at least partly off otherwise (**See Fischer's col.5 lines 47-66, 25-33, col.1 lines 22-28**).

With respect to claim 7, Fischer discloses a method wherein at least one of said bursts comprise at least one of elementary streams of the digital broadband broadcast transmission and transport streams referred to in a network information table (**See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22**).

With respect to claim 8, Fischer discloses a method wherein the digital broadband broadcast transmission at least partly comprises a time slice data broadband broadcast transmission (**See Fischer's col.5 lines 9-25**).

With respect to claim 10, Fischer discloses a method wherein the descriptor is configured to specify maximum number of bits per a service session that the digital broadband broadcast transmission is providing within a burst of the digital broadband broadcast transmission (**See Fischer's col.5 47-66, lines 9-25**).

With respect to claim 11, Fischer discloses a method wherein IP data streams contained in at least one elementary stream are transmitted in accordance with time slicing broadband transmission (**See Fischer's col.5 lines 9-25**).

With respect to claim 12, Fischer discloses a method wherein the receiver is configured to fit a memory usage of the receiver in accordance with the service session **(See Fischer's figure 4, col.14 46-48).**

With respect to claim 17, Fischer discloses a method wherein the descriptor is configured to indicate that an elementary stream contained within transport stream is not transmitted in accordance with time slice data broadband transmission of the digital broadband broadcast transmission **(See Fischer's col.5 lines 9-25).**

With respect to claim 18, Fischer discloses a method wherein a broadband network of the digital broadband broadcast transmission is adapted to operate at multi protocol encapsulation level and transmission stream level simultaneously with the different versions **(See Fischer's col.5 lines 9-25).**

With respect to claim 28, Fischer discloses a method wherein the digital broadband transmission comprises a wireless digital broadband broadcast transmission **(See Fischer's col.5 lines 9-25).**

With respect to claim 32, Fischer discloses a method wherein at least one of said bursts comprises a time sliced elementary stream, and said method further comprises identifying at least one time sliced elementary stream carried over a broadband network **(See Fischer's col.5 lines 9-25, 47-66).**

With respect to claim 35, Fischer discloses a method wherein at least one of said bursts comprise at least one of elementary streams of the digital broadband broadcast transmission and transport streams referred to in a network information table **(See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22).**

With respect to claim 36, Fischer discloses a method wherein said transmission at least partly comprises time slice data broadcast transmission **(See Fischer's col.5 lines 9-25, 47-66).**

With respect to claim 37, Fischer discloses a data processing system comprising a circuitry configured to carry out the steps of the method according to claims 1 or 30 **(See Fischer's figure 4 (90), col.14 lines 46-48).**

With respect to claim 43, Fischer discloses a system, wherein the circuitry configured to detect further comprises a circuitry configured to separate the digital broadband broadcast transmission based on descriptor to parts fitting for saving the power in the receiver and parts not fitting for saving the power in the receiver **(See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22).**

With respect to claim 44, Fischer discloses a system wherein at least one burst said burst comprise at least one of elementary streams of the digital broadband broadcast transmission and transport streams referred to in a network information table **(See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22).**

With respect to claim 45, Fischer discloses a system wherein the digital broadband transmission at least partly comprises a time slice data broadband broadcast transmission **(See Fischer's col.5 lines 9-25, 47-66).**

With respect to claim 46, Fischer discloses a system wherein at least one of said bursts comprises a time sliced elementary stream, and said system further comprises a circuitry configured to identify at least one time sliced elementary stream carried over a broadband network **(See Fischer's col.5 lines 9-25, 47-66).**

With respect to claim 47, Fischer discloses a system wherein said descriptor includes information on a size of a service session contained in said at least one burst of the digital broadband broadcast transmission, and said system further comprises: a circuitry configured to compare available memory in the receiver to said size, and a circuitry configured to switch at least part of the receiver on/off based on a result obtained in said comparison **(See Fischer's col.5 lines 47-66, 25-33, col.1 lines 22-28).**

With respect to claim 49, Fischer discloses a receiver wherein the circuitry configured to detect further comprises a circuitry configured to separate the digital broadband broadcast transmission based on said provided information to at least one of said bursts fitting for saving the power in the receiver and parts not fitting for saving the power in the receiver **(See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22).**

With respect to claim 50, Fischer discloses a receiver wherein at least one of said bursts comprise elementary streams of the digital broadband broadcast transmission, or transport streams referred to in a network information table **(See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22).**

With respect to claim 51, Fischer discloses a receiver wherein the digital broadband broadcast transmission at least partly comprises time slice data broadcast transmission **(See Fischer's col.5 lines 9-25, 47-66).**

With respect to claim 54, Fischer discloses a receiver wherein said at least one burst comprise a time sliced elementary stream, and said receiver further comprises a



circuitry configured to identify at least one time sliced elementary stream carried over a broadband network **(See Fischer's col.5 lines 9-25, 47-66).**

With respect to claim 55, Fischer discloses a receiver wherein said descriptor comprises information on a size of a service session contained in said at least one burst of the digital broadband broadcast transmission, and said receiver further comprises: a circuitry configured to compare available memory in the receiver to said size, and circuitry configured to switch at least part of the receiver on/off based on a result obtained in said comparison **(See Fischer's col.5 lines 47-66, 25-33, col.1 lines 22-28).**

With respect to claim 58, Fischer discloses a transmitter wherein at least one of said bursts comprise one of elementary streams of the digital broadband broadcast transmission and transport streams referred to in a network information table **(See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22).**

With respect to claim 59, Fischer discloses a transmitter wherein the digital broadband broadcast transmission at least partly comprises time slice data broadcast transmission **(See Fischer's col.5 lines 9-25, 47-66).**

With respect to claim 60, Fischer discloses a transmitter wherein at least one of said bursts comprises a time sliced elementary stream, and said transmitter further comprises a circuitry configured to categorize at least one time sliced elementary stream carried over a broadband network **(See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22).**

With respect to claim 61, Fischer discloses a transmitter wherein said descriptor includes information on a size of a service session contained in a burst of the digital broadband broadcast transmission, and said transmitter further comprises: a circuitry configured to adapt the receiver to compare available memory in the receiver to said size, and to switch at least part of the receiver on/off based on a result obtained in said comparison (**See Fischer's col.5 lines 47-66, 25-33, col.1 lines 22-28**).

9. Claims 13-16, 19-27, 29, 33-34, and 52-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer (US 5,371,734) in view of well-known prior art (MPEP 2144.03).

With respect to claim 13, Fischer discloses a method wherein specific information is provided to a device. Fischer does not specifically disclose that this information includes steps of limiting a size of a burst of the transmission. However, an official notice is taken that the concept and use of limiting the size of a burst of transmission are well known and expected in the art. Therefore, it would be obvious to one of ordinary skill in the art to include information regarding the size transmission burst and thus provide a method of controlling the size of transmission burst.

With respect to claim 14 and 15, Fischer discloses a method wherein specific information is provided to a device. Fischer does not specifically disclose that this information includes steps of indicating maximum burst duration of a transmission.

However, an official notice is taken that the concept and use of indicating the maximum burst duration of transmission are well known and expected in the art. Therefore, it would be obvious to one of ordinary skill in the art to include information regarding the maximum duration of a burst in a transmission burst and thus provide a method of controlling the duration of transmission burst.

With respect to claim 16, Fischer discloses a method wherein specific information is provided to a device. Fischer does not specifically disclose that this information includes steps of indicating a version of data in the transmission.

However, an official notice is taken that the concept and use of indicating the version of data in transmission are well known and expected in the art. Therefore, it would be obvious to one of ordinary skill in the art to include information regarding the version of data in a transmission burst and thus provide a method of identifying transmission burst.

With respect to claim 19, Fischer discloses a method wherein specific information is provided to a device. Fischer does not specifically disclose that this information includes steps of indicating a tolerance for a time for a reception of transmission.

However, an official notice is taken that the concept and use of indicating the tolerance for a time for a reception are well known and expected in the art. Therefore, it would be obvious to one of ordinary skill in the art to include information regarding the tolerance for a time of reception in a transmission burst and thus provide a method of synchronization.

With respect to claim 20, Fischer discloses a method wherein specific information is provided to a device. Fischer does not specifically disclose that this information

includes SI/PSI tables of the digital broadband transmission. However, an official notice is taken that the concept and use of SI/PSI tables in transport streams are well known and expected in the art. Therefore, it would be obvious to one of ordinary skill in the art to include information regarding SI/PSI in a transmission stream in order to identify various services.

With respect to claim 21, Fischer discloses a method wherein said information is provided in a network information table for providing information per each transport stream of the digital broadband transmission (**See Fischer's col.5 lines 25-33, 34-39, 47-66, col.6 lines 19-22**).

With respect to claim 22, Fischer discloses a method wherein specific information is provided to a device. Fischer does not specifically disclose that this information is provided in a program map table for providing information per each elementary stream. However, an official notice is taken that the concept and use of Program Map Table (PMT) are well known and expected in the art. Therefore, it would be obvious to one of ordinary skill in the art to include PMT table in a transmission stream in order to identify various services.

With respect to claim 23 and 24, Fischer discloses a method wherein specific information is provided to a device. Fischer does not specifically disclose that this information is provided in a INT for providing information per each elementary stream carrying at least one IP/MAC notification stream of the digital broadband transmission. However, an official notice is taken that the concept and use of IP and MAC are well

known and expected in the art. Therefore, it would be obvious to one of ordinary skill in the art to use IP and MAC in a transmission stream in order to identify various services.

With respect to claim 26, 27, 29 and 52, Fischer discloses a method wherein specific information is provided to a device via transmission. Fischer does not specifically disclose that this data transmission is DVB transmission. However, an official notice is taken that the concept and use of digital video broadcast (DVB) are well known and expected in the art. Therefore, it would be obvious to one of ordinary skill in the art to use in their transmission of DVB in order to provide video services.

With respect to claim 53, Fischer discloses a receiver wherein the receiver further comprises a mobile station for interaction with the digital broadcast transmission **(See Fischer's col.5 lines 9-25, 47-66).**

With respect to claim 33 and 34, Fischer discloses a method wherein specific information is provided to a device. Fischer does not specifically disclose that this information is transmitted as bursts consecutive bursts relating to a different service. However, an official notice is taken that the concept and use of transmission in the form of burst or consecutive bursts are well known and expected in the art. Therefore, it would be obvious to one of ordinary skill in the art to use burst of transmission either consecutive or otherwise to transmit data.

With respect to claim 25, Fischer discloses a method wherein specific information is provided to a device. Fischer does not specifically disclose that this information is multi-carrier signal transmission. However, an official notice is taken that the concept and use of multi carrier signal such as MC-CDMA are well known and expected in the

art. Therefore, it would be obvious to one of ordinary skill in the art to use a multi carrier signal transmission in order to increase the efficiency of transmission

### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sayed T. Zewari whose telephone number is 571-272-6851. The examiner can normally be reached on 8:30-4:30.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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